



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,502	07/19/2001	Rodney D. Johnson	2961.1000-001	4161

59242 7590 05/18/2006

R.D. JOHNSON & ASSOCIATES, P.C.
70 WALNUT STREET
WELLESLEY HILLS, MA 02481

EXAMINER

SMITH, TRACI L

ART UNIT PAPER NUMBER

3629

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,502

Applicant(s)

JOHNSON, RODNEY D.

Examiner

Traci L. Smith

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-123 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-123 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to papers filed on February 23, 2006.

Claims 1-2, 5, 7-8, 13-18, 65-66, 71-72, 77-81 and 113-114 have been amended.

Claims 119-123 have been amended.

Claims 1-123 are pending.

Claims 1-123 are rejected.

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. See page 13. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. It is deemed the hyperlinks in the application are not essential to the teachings or the enablement of the applicants invention. The noted hyperlink is used merely as an example of demonstration in which one skilled in the art would clearly understand without the use of the hyperlink.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-123 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,282,548 Burner. Hereinafter referred to as Burner.

3. As to claims 1, 13,20, 27, 46, 58, 65, 77, 82, 85, 100, 106, 113-118

Burner discloses a user requesting copies of information from an electronic address(C. 1 I. 12-15) and the results of the request being presented to the user as a copy of the information(C. 3 I. 15-17).

4. As to claims 2, 59, 66, 95 and 108 Burner discloses the information being queried in several formats(C. 3 I. 33-35). Examiner notes a user enter a web address into a search query qualifies as a test string.

5. As to claims 3, 26 ,67, 92-93 and 110-111 Burner teaches the data warehouse and user interface separate(Fig. 1)

6. As to claims 4 and 68 Burner teaches results not in "real-time"(C. 5 I. 40-43).

7. As to claims 5, 17, 28, 49, 60, 69, 86,-87 and 109 teaches the search results as URL's(C. 7 I. 20-22).

8. As to claims 6 and 70 Burner teaches the URL is in response to the query(C. 3 I. 33-35).

9. As to claims 7, 61-64 and 71 Burner teaches the information being historical information that was retrieved from previous date pages(C. 5 I. 50-52)

10. As to claims 8-9, 62-63 and 72-74 Burner teaches the results of changes over time(C. 12 I. 9-12)

11. As to claim 10 Burner teaches changes to information being changes to the address(C. 11 I. 60-61)

12. As to claims 11-12, 75-76 and 107 Burner teaches presenting information in response to the query(C. 11 I. 62-65). The examiner notes that the fact that the

information being returned is related to trademarks or any other industry or topic is non-functional descriptive material. These differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The steps of the query would be performed regardless of the type of information being requested.

Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see in re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 44(Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ 2d 1031(Fed. Cir. 1994).

13. As to claims 14, 53, 78 and 104 Burner teaches continuously storing information(C. 16 l. 55-57).

14. As to claims 15 and 80 Burner teaches references related to the requested material(C. 9 l. 4-9)

15. As to claims 16, 29 and 79 Burner teaches content providers selected from webserver(C. 2 l 50-53)

16. As to claims 18-19, 22-25, 32-33, 51, 54-57, 81, 84, 89-91 and 105 Burner teaches categorizing and organizing the data according to various topics that relate to the information(C. 17 l. 4-10)

17. As to claim 21 Burner teaches the retrieval taking place from several different providers and storing in a separate warehouse(Fig 1 Ref 110 and 111)

18. As to claim 30, 50, 88 and 102 Burner teaches compressing the stored information(C. 16 l. 60)

19. As to claims 34-36 Burner teaches the interface between the different computers operating remotely(Fig. 1 Ref. 130)

20. As to claims 37, 40, 45, 52, 83, 97 and 103 Burner teaches a crawler that retrieves website information in an organized continuous process(C. 5 I. 53-55)

21. As to claims 38, 42-43, 47-48, 96-98 and 101 Burner teaches storing registration information and storing information along with changes made to registration information(C. 10 I. 54-58)

22. As to claim 41 Burner teaches storing prior and current versions of information(c. 14 I. 25-32).

23. As to claims 44 and 99 Burner teaches offline storage(C. 6 I 2-7).

24. As to claims 119-123 Burner teaches time stamping information as it is retrieved(C. 11 I. 60-61).

Response to Arguments

25. As to applicants arguments against the rejections under 35 USC 112 1st the arguments are considered persuasive and are withdrawn.

26. As to applicants arguments regarding the objections to the specification the arguments were not found persuasive, therefore objection is maintained and restated above with further reasoning.

27. Applicant's arguments with respect to claims 1-118 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800